

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RUSSELL E. GOSS, JR.,

Plaintiff

v.

WILLIAM F. WARD, et al.,

Defendants

No. 1:CV-00-1069  
(JUDGE RAMBO)

FILED  
HARRISBURG  
APR 23 2001  
MARY E. D'AMICO  
Per DEPUTY CLERK

DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME

Defendants move this Court for an enlargement of time to file their reply brief. In support of this motion, defendants aver as follows:

1. Defendants filed a motion for summary judgment and followed that motion with a brief in support.
2. Plaintiff filed a brief in opposition to the motion for summary judgment but did not address the defendants' statement of undisputed material facts.
3. This Court recently notified the plaintiff of his failure to address the statement of undisputed material facts and gave the plaintiff fifteen (15) days in which to do so or defendants' statements would be deemed admitted.
4. Defendants do not know at this point whether plaintiff will file answers to defendants' statement of undisputed material facts, but would like to file their reply brief after the time given by the Court to the plaintiff has expired.
5. Counsel for defendants will be out of the office from April 24 through May 5 and will not have a chance to prepare a reply brief during that time.
6. For this reason, defendants ask that the time for filing a reply brief be enlarged to May 11, 2001.

**WHEREFORE**, for the reasons given above, defendants ask that any reply brief in support of their motion for summary judgment be due on or before May 11, 2001.

**Respectfully submitted,**

**D. MICHAEL FISHER**  
Attorney General

**BY:**



**DANIEL J. DOYLE**  
Senior Deputy Attorney General  
I.D. No. 54855

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**SUSAN J. FORNEY**  
Chief Deputy Attorney General  
Chief Litigation Section

**DATE: April 23, 2001**

**CERTIFICATE OF SERVICE**

I, **DANIEL J. DOYLE**, Senior Deputy Attorney General for the Commonwealth of Pennsylvania, hereby certify that on April 23, 2001, I caused to be served a copy of the foregoing document entitled **Defendants' Motion for Enlargement of Time**, by depositing same in the United States Mail, first class, postage prepaid, in Harrisburg, Pennsylvania, upon the following:

**Russell Goss, Jr., CD-1749  
SCI-Frackville  
1111 Altamont Boulevard  
Frackville, PA 17931-2699**



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**DANIEL J. DOYLE**  
Senior Deputy Attorney General  
I.D. No. 54855

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(JUDGE RAMBO)**

**ORDER**

**AND NOW**, this       day of       , 2001, upon consideration of defendants' motion for enlargement of time, the motion is **GRANTED** and defendants' reply brief will be due on or before May 11, 2001.

**BY THE COURT:**

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**SYLVIA H. RAMBO**  
**United States District Judge**